

U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

CHARTER FOR

RTCA, INC.

(UTILIZED AS AN ADVISORY COMMITTEE)

ORDER
1110.77T

Effective Date:

SUBJ: The RTCA, Inc. (Utilized as an Advisory Committee)

1. **Committee's Official Designation.** The RTCA, Inc. (Utilized as an Advisory Committee).
2. **Authority.** This order renews the charter for using RTCA, Inc., and some of its components as an advisory committee in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. The RTCA, Inc. benefits the public interest and supports the Federal Aviation Administration (FAA) in performing its duties and responsibilities under Subtitle VII, 49 U.S.C. § 40101.

The Federal Aviation Administration and other Government members of RTCA, Inc., would use parts of RTCA (for example, the Program Management Committee (PMC), Next Generation Air Transportation System (NextGen) Advisory Committee (NAC), and Special Committees as an advisory committee. Other committees might be formed as FAA deems necessary during the term of this charter. The advisory committee functions under section 3(2)(C) of the Act.

a. This order:

(1) Applies to all members of the RTCA, Inc., Advisory Committee and director level organizations at the Washington, D.C., Headquarters and the William J. Hughes Technical Center in Atlantic City, NJ; and

(2) Replaces the previous Order 1110.77S, RTCA, Inc. (Utilized as an Advisory Committee) dated April 2, 2009.

b. This order can be found on the Directives Management System Web site:
<http://www.faa.gov/documentLibrary/media/Order/1110.77S.pdf>.

3. **Objective and Scope of Activities.** The objective of the advisory committee is to seek resolutions to issues and challenges involving air transportation concepts, requirements,

operational capabilities, and the associated use of technology and related considerations, in aeronautical operations that impact the future Air Traffic Management System.

a. To achieve this, specific objectives include the following:

(1) Coalesce aviation system user and provider requirements in a manner that helps Government and industry meet their common objectives and responsibilities.

(2) Analyze and recommend solutions to the challenges that the aviation community faces as it continues to increase safety, security, system capacity, and efficiency.

(3) Develop consensus on relevant solutions to meet user and provider requirements, including the development of minimum operational performance standards for electronic systems and equipment that support aviation.

(4) Aid in developing the appropriate material on which to base U.S. positions for International Civil Aviation Organization, International Telecommunication Union, and other international organizations, when requested.

(5) Provide a venue where FAA can solicit a single, consensus-based set of recommendations on issues that (1) are critical to the successful implementation of NextGen and Air Traffic Management System modernization and (2) require a commitment of resources and/or synchronized planning between Government and industry to achieve the intended outcome.

b. The RTCA, Inc., provides the following two categories of recommendations:

(1) Broad-gauged policy and investment priority recommendations used by FAA when considering policy and program decisions.

(2) Minimum performance standards, reports, and guidance documents used by FAA in regulatory decisions and rulemaking. Government regulatory and procurement practices reference or use the RTCA, Inc., standards (with or without change). The RTCA, Inc., recommendations are used in the private sector as the basis for development, investment, and other business decisions.

c. The advisory committee will not aid in the coordination or review of safety and certification issues that inherently are governmental.

4. Description of Duties. Components of RTCA, Inc., shall serve as an advisory committee performing the following duties under the RTCA, Inc., operating structure and methodology described below:

a. The FAA Air Traffic Organization Chief Operating Officer, the Associate Administrator for Aviation Safety, the Associate Administrator for Airports, and the Assistant Administrator of Policy, International Affairs and Environment, serve as FAA *ex officio*, nonvoting members of the RTCA Policy Board.

b. The FAA will keep participation in all levels of RTCA, Inc., committees to a minimum, serving in an *ex officio* capacity as nonvoting members. The Designated Federal Officer (DFO) for the various committees will determine appropriate FAA participation to ensure further understanding of the subject matter. The FAA officials will not serve as chair or co-chair of any committee. Exceptions for Special Committees will require approval of the FAA members of PMC.

c. The RTCA President and FAA members of the RTCA Policy Board will review NAC and PMC membership yearly to ensure the balanced representation of the points of view and roles performed by the committees; that is, to ensure an equitable representation, to the extent feasible, of the aviation community. They will present recommended changes to membership to the full RTCA Policy Board for final approval.

5. Agency or Official to Whom the Committee Reports. The RTCA Advisory Committee shall report to the Secretary of Transportation through the FAA Administrator.

6. Support. The FAA will provide support to the RTCA NAC, PMC, and any other Federal advisory committee established under this charter.

7. Estimated Annual Operating Costs and Staff Years. It is estimated that the annual operating costs (including the pro rata share of salaries of FAA and contract employees) is \$750,000.00. Approximately 0.15 employee years is required for administrative support.

8. Designated Federal Officer. The FAA Administrator, on behalf of the Secretary, shall designate the FAA Deputy Administrator to serve as the Designated Federal Officer for NAC and the FAA Deputy Administrator Representative to serve as DFO for PMC. Other Federal employees serve this role for the Special Committees.

a. The DFO or alternate must be present at all PMC, NAC, and Special Committee meetings. The FAA sponsor will appoint a full-time Government employee as the DFO or alternate for each Special Committee.

b. In accordance with the Act, the DFO or alternate must be assigned to each committee to perform the following duties; call, attend, and adjourn committee meetings, approve agendas, maintain required records on costs and membership ensure efficient operations, maintain records for availability to the public; and provide copies of committee reports to the Committee Management Officer for forwarding to the Library of Congress. Close any advisory committee meeting, in coordination with the chairperson, when so doing would be in the public interest.

9. Estimated Number and Frequency of Meetings. The PMC will meet approximately quarterly, as required, to carry out its responsibilities. The NAC will meet approximately three times a year to ensure continuity and good preparation for public, decision making meetings. Special Committees meet as their workload requires. The PMC, NAC, and Special Committee meetings shall comply with all applicable provisions of the Act, including the following:

a. The PMC, NAC, and Special Committee meetings shall be open to the public and a notice shall appear in the *Federal Register* at least 15 days before each meeting, except in emergencies. The notice should include the name of the advisory committee, the time, place,

purpose of the meeting (including a summary of the agenda), and a statement that the meeting will be open to the public. The FAA may use other forms of notice, such as press releases.

b. Anyone interested can attend meetings and appear before the committee subject to reasonable limits of space and time. Additionally, anyone interested may file written statements with the committee.

(1) Meetings may be closed to the public only as authorized by section 10(d) of the Act and applicable regulations.

(2) All RTCA advisory committees will follow the regular advisory committee process in making recommendations to the FAA, and will not make recommendations directly to FAA program offices.

(3) The FAA has determined that continued use of RTCA and its components as an advisory committee is in the public interest for responsibilities imposed on FAA by law.

10. Duration: Continuing.

11. Termination: There is not a termination date. However, FAA may terminate the charter incorporated in this order if RTCA, Inc., disbands; if the use of RTCA, Inc., components by FAA ceases; if RTCA, Inc., operations as covered by the Act do not comply with the Act or implementing regulations, and RTCA, Inc., cannot, or will not, achieve compliance; if RTCA, Inc. refuses membership to a qualified applicant; or if FAA determines that, as to important aspects of its operations, the role of RTCA Inc., as an advisory committee cannot be upheld. The FAA will give as much advance notice as possible of such action to RTCA, Inc., and all participants. Such action by FAA would not prevent another Government Agency from chartering RTCA, Inc. under the Federal Advisory Committee Act.

12. Membership and Designation: The RTCA PMC has approximately 19 members. The PMC members, with the exception of the RTCA President, are volunteers appointed by the RTCA President and serve with concurrence of their parent organization. Selection of PMC members is managed to ensure an appropriate balance of Government and industry perspectives and coverage for all disciplines expected to be addressed by Special Committees. The criterion for selecting a PMC member includes his or her ability to provide the requisite executive management and support of Special Committee activities.

The PMC, using Special Committees, manages most of the Federal advisory committee-related business of RTCA, Inc., related to the development of minimum performance standards and guidance material. The PMC establishes Special Committees in response to an identified need by Government and industry. The RTCA President, in consultation with the FAA DFO, recommends the chairman or co-chairmen for each committee. The PMC approves the terms of reference for the Special Committee; approves the chairs; approves recommendations; monitors progress; reviews reports; and approves, modifies, returns for additional work, or disapproves these reports. The PMC meetings are open to the public and announced in the *Federal Register*.

Special Committees along with policy committees, such as the NAC, are a principal means for RTCA to carry out its mission for the FAA. Membership of Special Committees shall be

recruited from RTCA, Inc. member organization by inviting organizations to name qualified persons to serve on the committee. Any organization materially affected by work of Special Committees shall be urged to participate to create a balanced membership. In addition, the chairman of any Special Committee may invite non-members of RTCA, Inc., having expertise in the subject matter to participate. The duration of the Special Committee depends upon the assigned tasks. Plenary meetings are open to the public and notices to the public are advertised in the *Federal Register*.

The RTCA NAC has approximately 28 members. Committee membership includes representatives from the following stakeholders: Air Traffic Management Automation Providers, Aircraft Manufacturers, Airports, Avionics Manufacturers, DoD, Environmental Interest, Finance, Labor, General Aviation, Air Carriers, Business Aviation and the Transportation Security Administration. The FAA (Air Traffic Operations, Aviation Safety, Airports, and Policy, International Affairs and Environment), MITRE, and RTCA are nonvoting members of the committee.

Representatives of non-Government RTCA member organizations serve on the committees without Government compensation. Members serve in a representative capacity. The employing organization bears all costs related to its participation on such RTCA committees. Appointed members of the RTCA Policy Board, Board of Directors, PMC, NAC, and chairpersons of Special Committees serve as "representative" members. They shall represent a particular interest of his or her employment, education, experience, or affiliation with a specific aviation-related organization (reference DOT Order 1120.3B, Committee Management Policy and Procedures, Ch. II, 10.a.).

To identify clearly and provide proper disclosure of their specific affiliation or professional interest, appointed members will complete an Advisory Committee Candidate Biographical Information Request, Form DOT F 1120.1 (as described in the DOT Order 1120.3B, Committee Management Policy and Procedures, Ch. II, 11b(1)). Members must complete a new form DOT F 1120.1 when a change in affiliation occurs.

13. Subcommittees. The Department of Transportation has the authority to create subcommittees. All RTCA, Inc., advisory subcommittees or work groups must report back to the parent Federal advisory committee and must not provide advice or work products directly to the agency.

14. Recordkeeping. The RTCA will publish the minutes of each PMC, NAC, and Special Committee meeting. The official minutes shall include the following: time and place of the meeting; a list of all attendees, including members, staff, and public observers; a summary of matters discussed and conclusions reached; reference to reports issued or approved by the committee; and a description of public participation, including verbal or written statements. The committee chairperson shall certify the accuracy of the minutes. Meeting summaries are available to the public and posted on the RTCA Web site at <http://www.rtca.org>.

a. Yearly, RTCA shall provide information to FAA on its committees, including, but not limited to the following: the number of meetings of each committee; the total number of meetings; meeting attendance (including a breakdown of meeting days) for FAA, other

Government, and non-Government participants; the name and organizational affiliation of each RTCA committee member; report titles and dates; and dates of all meetings.

b. This order complies with the requirements in section 9(c) of FACA for charters for PMC and Special Committees or other advisory committee task forces.

Appendix 1 provides a list of the current Special Committees. A new charter action is not required to assign a new problem to an existing Special Committee so long as the new problem is within its topical responsibility. These committees shall comply with all requirements and implementing regulations covered in section 10 of the Act.

c. Records of PMC, NAC, and Special Committees, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule 26, Item 2, or other approved Agency records disposition schedule.

d. Subject to the conditions of the Freedom of Information Act, 5 U.S.C. § 552(b), records, reports, transcripts, minutes or meeting summaries, and other documents are available for public inspection or purchase at RTCA, Inc. As of calendar year 2000, all new and a limited number of previously published RTCA documents are available at <http://www.rtca.org>. Copies of FAA documents are available to the public according to the fee schedule published in title 49, part 7, of the Code of Federal Regulations.

15. Filing Date. Renewal of the charter of RTCA, Inc., and its components, listed in Appendix 1, is effective on 4/1/2011, which is the filing date of the charter. Using RTCA, Inc., components as advisory committees will continue for 2 years, unless sooner terminated or renewed by proper authority.

J. Randolph Babbitt
Administrator